

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

**STEPHEN S. DREW, individually and on
behalf of proposed class,**

Plaintiff,

v.

Civil Action No.: 3:12-cv-9022

**ENERGY FUTURE HOLDINGS CORPORATION,
and LUMINANT MINING COMPANY, LLC,**

Defendants.

**Stipulation to Replace Certain Portions of Filed Exhibits
and Pleadings with Redacted Documents**

Plaintiff Stephen S. Drew and Defendants Energy Future Holdings Corporation and Luminant Mining Company, LLC respectfully submit this stipulation to replace certain documents filed in connection with Defendants' Motion to Dismiss for Lack of Jurisdiction or, in the alternative, Motion to Transfer Venue or, in the alternative, Motion to Dismiss for Failure to State a Claim with the redacted documents attached hereto. Plaintiff submits that these documents contain confidential personal information regarding the Plaintiff. Defendants submit that they have agreed to redact the information identified herein, but, by so doing, Defendants do not waive and expressly reserve any legal arguments regarding the confidentiality of the information redacted and whether the information redacted constitutes "public information."

The Parties further stipulate that, along with the courtesy copy submitted to the assigned judge pursuant to Local Rule 7.1(a)(5), Defendants may submit un-redacted copies of the documents identified herein.

The Parties have agreed to redact and replace the following previously filed documents:

1. Document No. 25-1, page 8 of 11;
2. Document No. 25-3, page 2 of 10, ¶ 4;

3. Document No. 25-3, pages 4-10, Exhibit A;
4. Document No. 25-4, page 3 of 19, ¶ 14;
5. Document No. 25-4:
 - a. Page 5 of 19;
 - b. Page 6 of 19;
 - b. Page 7 of 19;
 - c. Page 9 of 19;
 - d. Page 11 of 19;
 - e. Page 12 of 19;
 - f. Page 13 of 19;
 - g. Page 15 of 19;
 - h. Page 17 of 19.
6. Document No. 26, page 3.

The agreed redacted versions of these documents are attached as Exhibit A.

Respectfully submitted,

/s/ John W. Barrett.

John W. Barrett

Jonathan R. Marshall

BAILEY & GLASSER, LLP

209 Capitol Street

Charleston, West Virginia 25301

Telephone: (304) 345-6555

Facsimile: (304) 342-1 110

jbarrett@baileyglasser.com

jmarshall@baileyglasser.com

Attorneys for Plaintiff Stephen S. Drew

s/ Ann Marie Painter

Erin Elizabeth Magee
JACKSON KELLY PLLC
500 Lee Street East
P.O. Box 553
Charleston, WV 25322
(304) 340-1000 Telephone
(304) 340-1051 Fax
emagee@jacksonkellypllc.com

Ann Marie Painter (pro hac vice)
Elizabeth M. Bedell (pro hac vice)
MORGAN LEWIS & BOCKIUS LLP
1717 Main Street, Suite 3200
Dallas, Texas 75201
(214) 466-4000 Telephone
(214) 466-4001 Fax
annmarie.painter@morganlewis.com
beth.bedell@morganlewis.com

Gregory T. Parks (pro hac vice)
Ezra Dodd Church (pro hac vice)
MORGAN LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, Pennsylvania 19103
(215) 963-5000 Telephone
(215) 963-5001 Fax
gparks@morganlewis.com
echurch@morganlewis.com

*Counsel for Defendants, Energy Future Holdings
Corp. and Luminant Mining Company, LLC*